

33-41 Masons Hill

in the London Borough of Bromley

planning application no. 21/00741/FULL1

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of the existing buildings and redevelopment of the site for a new part-8/part-11 storey building comprising flexible commercial floorspace (Use Class E) at ground floor and 50 residential units (Use Class C3) above, along with associated amenity space, ancillary refuse and recycling storage, cycle parking and wheelchair parking.

The applicant

The applicant is **Cobalt (Bromley South) Limited** and the architect is **ECE Architects**.

Strategic issues

Land use principles: The residential-led mixed use development of the underutilised town centre brownfield site is supported in strategic planning terms (Paragraphs 15-17).

Housing/affordable housing: The proposal offers 10% affordable housing in units and habitable rooms; therefore, the scheme follows the Viability Tested Route. GLA officers will continue to rigorously scrutinise the applicant's viability report. The applicant should confirm whether any of the existing residential units constitute affordable housing (Paragraphs 18-26).

Urban design and heritage: The proposal does not comply with London Plan Policy D9A as the site has not been specifically identified suitable for a tall building of this scale. The applicant should present material that allows officers to reach a fully informed view of compliance with London Plan Policy D9C. No harm would be caused to heritage assets (Paragraphs 27-50).

Climate change: Further information is sought in relation to energy, drainage, circular economy, urban greening and air quality (Paragraphs 51-74).

Transport: The proposed residential cycle parking does not comply with the London Cycling Design Standards and thus London Plan Policy T5. The applicant is required to address this concern prior to any Stage 2 referral (Paragraphs 75-83).

Recommendation

That Bromley Council be advised that, while the scheme is supported in land use terms, the application does not currently comply with the London Plan, for the reasons set out in paragraph 87 of this report.

Context

1 On 26 March 2021 the Mayor of London received documents from Bromley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under the following Category of the Schedule to the Order 2008:

- **Category 1C.1(c):** *“the building is more than 30 metres high and is outside the City of London.”*

3 Once Bromley Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself. The Mayor of London's statement on this case will be made available on the GLA website, www.london.gov.uk.

Site description

4 The application site is approximately 0.06 hectares (600 sq.m.) and is located on Masons Hill, within Bromley Town Centre. The site and the wider Town Centre are located within the Bromley Opportunity Area.

5 As shown below, the site comprises a two-storey terrace building (33-41 Masons Hill) with retail units to the ground floor and four 2/3-bedroom residential units above, including accommodation in the roofspace. The site is currently owned by the applicant - Cobalt (Bromley South) Limited and the total floorspace is 654.5 sq.m.



Photo of existing 33-41 Masons Hill: Source - Applicant's planning documentation (Heritage Statement).

6 Directly to the north of the site is Perigon Heights, a part-11/ part-17 storey mixed use residential-led development currently under construction by the applicant on the site of the former H.G. Wells Centre. The application site is bound by Masons Hill (B228) to the south, a four-lane carriageway connecting the site to Bromley Town Centre and Bromley Common. Directly to the east of the site is St Mark's Road and a large Waitrose store and car park which continues along the north side of the site. St Mark's Road provides delivery and servicing access to the store and will provide residential/commercial access to Perigon Heights. To the west of the site is a five-storey police station. The building has a private access road running alongside the site with parallel parking and footpaths.

7 The site contains no heritage assets, but immediately to the south, across Masons Hill is the Grade II Listed St. Mark's School.

8 The nearest section of the Transport for London Road Network (TLRN) is (A21) Kentish Way, approximately 130 metres away. There are three bus stops within an appropriate walking distance (640 metres) served by 15 routes. The nearest rail station, Bromley South, served by Thameslink and South-eastern services, is approximately 150 metres away and is step free between the street and the platforms. As a result, the site has a public transport accessibility level (PTAL) of 6a (on a scale from 0-6b, where 6b is the highest).

Details of the proposal

9 It is proposed to demolish the existing buildings and redevelop the site with a new part-8/part-11 storey building comprising flexible commercial floorspace (Use Class E) at ground floor, and 50 residential units (Use Class C3) above, along with associated amenity space, ancillary refuse and recycling storage, cycle parking and wheelchair parking.

10 The development would comprise the following:

- 50 residential units (Class C3), with 10% affordable housing (5 Social Rent - DMR) in units and habitable rooms.
- 163 sq.m. of flexible commercial floorspace (Class E).

Case history

11 No relevant planning history.

Strategic planning issues and relevant policies and guidance

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Bromley Local Plan (2019), and the London Plan 2021.

13 The following are relevant material considerations:

- National Planning Policy Framework (2019) and National Planning Practice Guidance; and
- Affordable Housing and Viability SPG (August 2017).
- Bromley Town Centre Area Action Plan (October 2010).

14 The relevant strategic issues and corresponding policies are as follows:

- Land use principles *London Plan;*
- Housing *London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Affordable housing *London Plan; Affordable Housing & Viability SPG;*
- Urban design *London Plan; Character and Context SPG;*
- Historic environment *London Plan; Shaping Neighbourhoods: Character and Context SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Environment Strategy;*
- Transport *London Plan; the Mayor's Transport Strategy;*

Land use principles

15 Good Growth Objective GG2 and Policy H1 of the London Plan promote the optimisation of land, particularly through the redevelopment of brownfield sites, as a key part of the strategy for delivering additional homes in London. The London Plan sets a 10-year monitoring target for Bromley at 7,740 additional homes between 2019/20 and 2028/29, recognising the increasing demand for the delivery of additional homes across London.

16 As outlined above, the site includes five retail commercial units, with a floorspace of 479 sq.m. (a significant proportion of the existing floorspace (circa 200 sq.m.) is located within the basement of the existing units), are to be demolished and replaced with a provision of 163 sq.m. of flexible ground floor commercial floorspace (Class E). This approach complies with London Plan Policies SD6 and E9 by bringing forward housing-led intensification of a town centre site and providing an active ground floor frontage and is therefore supported.

17 The proposed scheme would deliver new homes and commercial units; therefore, the land use principles are supported in line with London Plan Policies H1, SD6 and E9, and Good Growth Objective GG2. However, concerns raised on the other strategic issues in this report must be addressed.

Housing and affordable housing

18 The application proposes 50 new residential units on the site. This constitutes 0.65% of the housing target the Council needs to meet its London Plan 10-year target, which is currently at 7,740 additional homes between 2019/20 and 2028/29. The table below sets out the following indicative housing mix.

Unit Size	Private	Intermediate	Total Units	Split %
1B2P	6	1	7	14
2B3P	5	0	5	10
2B4P	34	4	38	76
TOTAL	45	5	50	100

Affordable housing, viability and tenure mix

19 The Mayor has set a strategic target for 50% of all new homes to be affordable, as set out in Policy H4 of the London Plan. Policy H5 of the London Plan identifies a minimum threshold of 35% affordable housing (by habitable room), with a higher threshold of 50% applied to public sector owned land and industrial sites where the scheme would result in a net loss of industrial capacity.

Fast Track Route

20 As the application site is not industrial or public land, the relevant affordable housing threshold is 35% (by habitable room) and to be eligible for the Mayor's Fast Track Route, applications must also meet the required tenure mix without public subsidy and should seek grant funding in order to maximise affordable housing provision. Where additional affordable housing is provided above the relevant affordable housing threshold, the tenure mix requirements are flexible, as set out in Policy H6 of the London Plan. To comply with the Fast Track Route (FTR), an early stage review mechanism would need to be secured via a Section 106 agreement. Applications which do not meet these requirements should follow the Viability Tested Route (VTR), with a Financial Viability Appraisal submitted and schemes subject to both early and late stage review mechanisms.

21 As the proposed level of affordable housing is 10% by unit and 10% by habitable room, the proposal does not comply with the Fast Track Route, therefore, as outlined in Policy H6 of the London Plan, the application must follow a Viability Tested Route.

22 The application is accompanied by a Financial Viability Assessment (FVA) which sets out the viability position of the scheme and proposes to support 5 intermediate units as Discounted Market Rent (DMR), which equates to 10% affordable housing by unit and 10% by habitable room. The FVA contends that this is the maximum reasonable amount of affordable housing that the proposed scheme can deliver, and that the provision of DMR units is appropriate in this town centre location and will contribute towards creating mixed and balanced communities.

23 The applicant's FVA is currently under review by GLA officers, and officers will continue to robustly scrutinise it to ensure that the maximum amount of affordable housing is delivered. Should the level of affordable housing remain below the threshold level, both early and late stage review mechanisms must be secured in accordance with the London Plan. The requirement for an early stage viability review will be triggered if an agreed level of progress on implementation is not made within two years of any permission being granted in accordance with Policy H5 of the London Plan and the Mayor's Affordable Housing and Viability SPG. The applicant should also explore the possibility of using grant funding in order to maximise affordable housing provision and confirm whether any of the existing residential units constitute affordable housing.

Tenure split

24 In terms of tenure split, Policy H6 of the London Plan sets out the Mayor's preference for at least 30% low cost rent (social rent or London Affordable Rent) and 30% as intermediate housing products, with the remaining 40% to be determined by the Council (and comprising either low cost rented homes or intermediate based on

identified need). There is a presumption that the 40% to be decided by the borough will focus on low cost rent; however, in some cases a more flexible tenure may be appropriate, for example due to viability constraints or to achieve mixed and inclusive communities. Appropriate tenure splits should be determined through the Development Plan process or by supplementary planning guidance. Policy SP2 of Bromley's Local Plan requires development to maximise affordable housing in line with the Council's tenure split of 60% affordable rented and 40% intermediate tenures. The application as currently submitted does not comply with this local policy.

25 The Mayor is committed to the delivery of genuinely affordable housing. Policy H6 of the London Plan, the Mayor's Affordable Housing and Viability SPG and the Mayor's Affordable Homes Programme 2016-21 Funding Guidance set out the Mayor's preferred affordable housing products. The applicant is advised that the Mayor's preference is for affordable rent products to be secured at social rent or London Affordable Rent benchmark levels, and for intermediate products to be secured as affordable to a range of incomes below the upper limit of £90,000 per annum and benchmarked against the monitoring figure in the London Plan Annual Monitoring Report. In addition to this, annual housing costs (including service charges, rent and any interest payment) should be no greater than 40% of net household income.

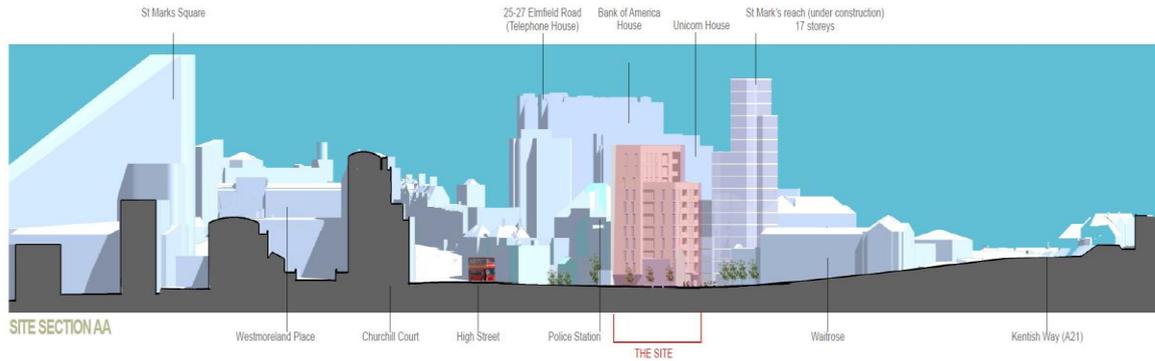
26 The applicant is required to clarify the tenure split of the affordable housing element of the proposed development in terms of habitable room and must engage with the Council and confirm the tenure split is supported by the Council. Further, the applicant must provide full details of the market and intermediate housing proposed, including target rent levels, and details of any service charges. All affordable housing must meet the definitions affordable housing as set out in the London Plan and all the affordable housing offer be robustly secured in perpetuity, within a Section 106 agreement.

Urban design

27 Good design is central to all objectives of the London Plan. Policies contained within chapter 3 of the London Plan set out a series of overarching principles and specific design policies related to site layout, scale, height and massing, internal layout and visual impact as ways of achieving this.

28 The general layout and massing arrangement are supported and creates a consistent street frontage onto Masons Hill. Key entrances to residential cores, workspace and community facilities are located to be legible and welcoming.

29 The massing has evolved through close consultation with Council officers and CABE's Design Review Panel, which is welcomed, and this has resulted in efficient block layouts and well-considered building forms. The townscape visuals suggest the building will appear prominent in the street scale but have potential to fit comfortably within future urban context. The proposed materials proportions of building frontages are well thought out and create a well-crafted, high quality building. Attention to detail, particularly to winter garden elements, curved glazing and ground frontages should be exemplary and secured within the application submission.



CGI of the site's and its surrounding skyline: Source - applicant's planning statement part 2.

Tall buildings

30 London Plan Policy D9 sets out the criteria against which tall and large buildings should be assessed and establish support for the development of tall buildings where they create attractive landmarks enhancing London's character. The policy recognises that tall buildings help to provide a catalyst for regeneration, where they are acceptable in terms of design and impact on their surroundings. Policy D9 further establishes that boroughs should determine where tall buildings are an appropriate form of development in Development Plans and criteria against which impact should be assessed, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.

31 Bromley's Local Plan Policy 47 sets out that proposals for tall and large buildings will be required to make a positive contribution to the townscape ensuring that their massing, scale and layout enhances the character of the surrounding area. Tall and large buildings will need to be of the highest architectural design quality and materials and be appropriate to their local location and historic context, including strategic views. Proposals for tall buildings will be required to follow the current Historic England Guidance. The supporting text of Policy 47 states that 'Tall buildings are those that exceed the general height of their surroundings and cause a significant change to the skyline'. Much of the Borough is not considered appropriate for tall buildings due to its established suburban character. However, the plan confirms that potential may exist for tall buildings to be located in town centres which benefit from good public transport, exhibit an existing local built character that would allow for taller buildings, and where no harm would be caused to heritage assets, the wider historic environment or important views.

32 The adopted Bromley Town Centre Area Action Plan (TCAAP) identifies potential sites for tall buildings within the town centre. However, the application site is not specifically identified as such a site, nor has a specific acceptable height been confirmed. The proposal (at up to 11 storeys) therefore conflicts with Policy D9B of the London Plan.

33 However, it is noted that the TCAAP states that high density development is encouraged in town centres, which includes the application site. Moreover, Policy BTC19 states that tall buildings (though it does not specify their height in metres or storeys), are subject to design and environmental considerations, their impact on

listed buildings and views of the Keston Ridge and integration with the surrounding area.

34 The site is located at the gateway to Bromley Town Centre and provides an opportunity to landmark one of its entrances. The TCAAP also confirms that buildings should increase in height up to 15-storeys in the area to the north of the site.

35 Policy D9C however sets out specific criteria to assess the acceptability of tall buildings, including their visual, functional, environmental and cumulative impacts. The applicant should therefore present material that addresses these requirements to allow officers to reach a fully informed view of these impacts and thereby compliance with these aspects of Policy D9.

Residential quality

36 London Plan Policy D6 promotes quality in new housing, with further guidance provided by the Mayor's Housing SPG. In accordance with strategic priorities, it is essential that schemes deliver the highest standard of residential quality, and baseline standards are exceeded wherever possible.

37 The quality of the residential accommodation proposed is acceptable. All units would exceed the London Plan and the Mayor's Housing SPG internal space standards, and additionally, there are efficient core to unit ratios. Whilst this is welcomed, the applicant is required to clarify whether the provision of dual aspect units has been maximised and that the number of single aspect north-facing units minimised.

38 Each of the residential units is provided with private outdoor amenity space that meets, or in many cases exceeds, the London Housing SPG space standards. As well as this, the proposals include 159 sq.m. of external communal amenity space at eighth floor level. The proposed external amenity space has been designed to be clearly defined, appropriately located and useable, and will be easily accessible to all future residents.

Children's play space

39 London Plan Policy S4 requires development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG and Policy S4 expect a minimum of 10 square metres per child to be provided in new developments.

40 Within the wider communal outdoor space at the site, 97 sq.m. of the external communal amenity space at eighth floor will be designated for under 5's play space, and there is existing provision for 5 -11 play within 400 metres of the Site (Newbury Playground) and for 12+ play space within 800 metres of the Site (Bromley Park and Queens Gardens). The applicant has proposed a financial contribution towards these existing play facilities to be secured as part of a S106 agreement. Whilst this provision and commitment is welcomed, the applicant should demonstrate that play space and equipment within the development is not segregated by tenure. The total play space provision and a mechanism to secure open access across tenures should be agreed with Bromley Council and secured by an appropriate planning condition and a Section 106 agreement.

Fire safety

41 In line with Policy D12 of the London Plan, development proposals must achieve the highest standards of fire safety and ensure that they: are designed to incorporate appropriate features which reduce the risk to life in the event of a fire; are constructed in an appropriate way to minimise the risk of fire spread; provide suitable and convenient means of escape for all building users; adopt a robust strategy for evacuation which, all building users can have confidence in and provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

42 The application is supported by a Fire Safety Statement prepared by BWC Fire Limited, which demonstrates that the above requirements are addressed, and the development complies with London Plan Policy D12. The Council must secure all the proposed measures as detailed in the statement through appropriate planning conditions.

Heritage

43 London Plan Policy HC1 states that development proposals affecting heritage assets and their settings should conserve their significance and should avoid harm. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

44 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a proposed development will lead to ‘substantial harm’ to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In line with case law, any harm identified must be given considerable importance and weight.

45 The site contains no designated heritage assets, nor is it located within a conservation area. The Heritage Statement submitted by the applicant has identified *Grade II listed Former St Mark’s School* within a 250 metres radius. Within 1-kilometre radius of the Site, 23 Grade II listed structures, and two Grade II* listed structures are located.

46 The proposed scheme will be a part-8/part-11 storey mixed use structure, in which the southern elevation, set back from Masons Hill, will be only the 8-storey building, rising stepping up to 11-storey in the centre of the build. This will provide a gradual height increase from the street frontage, building towards the 17-storey structure to the north at St Mark’s Reach (which is not part of the proposed

development). The proposed design of the building is currently for a glass fronted lower ground floor section, with the remainder of the building being a concrete frame, with predominantly brickwork clad facades (red & white brick). This would be in keeping with the current design palate within this area of Bromley.

47 The changes to the settings of the area are noticeable, but within keeping with the modern elements of the modern townscape which are already present within proximity to the Grade II listed building and do not affect the structural integrity nor the architectural elegance of the listed structure, which is still appreciably demonstrated by the retained views along Masons Hill. The value of the school is intrinsically its architectural and historical significance, and its designation at Grade II status highlights this special interest. The proposal will not physically alter the listed structure in any way, and so would have no impact upon its architectural or historical value as a good example of an early twentieth century arts and crafts inspired school structure.

48 There will be no significant impacts to the Bromley Town Centre Conservation Area brought about by the proposals, as the Conservation Area designation covers the central core of the town centre with a central spine covering the High Street, Market Square and the lower part of London Road and due to the significant distance of the proposal from this Conservation Area, and the screening of the development by a prior approved development (the 17-storey St Mark's Reach development). There will be no physical impact to the Grade II listed asset, and whilst there will be a change brought about with this assets' immediate setting, the wider character of the area will be maintained within the modernised, urban built form.

49 GLA officers consider that the Built Heritage Statement and HTVIA submitted by the applicant meet the requirements of the NPPF and local planning policy and provide sufficient information and assessment to identify the potential impacts arising from the development of the site on the historic built environment. Officers conclude that the proposal comprises a well-designed contemporary scheme which would not cause harm to the setting or significance of the identified listed buildings, nor would it obscure or diminish any features of their special interest.

Inclusive access

50 The applicant has submitted an access statement as part of the planning application, demonstrating that the development complies with Policy D5 of the London Plan, Accessible London SPG and Approved Document M of the Building Regulations and BS8300:2009. The statement demonstrates that 10% of units across the development, comprising a mix of unit sizes will be delivered as wheelchair user dwellings, the remaining units will be delivered to Building Regulation M4(2) specifications. This is supported and should be secured by condition, along with Building Regulations standards M4(2) and M4(3) in line with London Plan Policy D5.

Climate change

Energy

51 The applicant has submitted an energy assessment in accordance with London Plan Policy S12. The energy proposals do not comply with the London Plan energy policies and therefore not supported and should be revised as per the comments below. The applicant's response to GLA's energy comments should be

provided within the Energy Memo (which is sent separately to the applicant and the Council). Any wider supporting material submitted must be referenced within the Memo.

52 The applicant should submit the GLA's Carbon Emission Reporting spreadsheet, which has been developed to allow the use of the updated SAP 10 emission factors alongside the SAP 2012 emission factors. The link to the spreadsheet can be found here: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/pre-planning-application-meeting-service-0>

Be Lean

53 The domestic element of the proposed development is estimated to achieve a reduction of 5.1 tonnes per annum (10.7%) in regulated CO₂ emissions compared to a 2013 Building Regulations compliant development. This may need to be revised once a complaint overheating strategy has been specified. The non-domestic element of the proposed development is estimated to achieve a reduction of 0.4 tonnes per annum (40%) in regulated CO₂ emissions compared to a 2013 Building Regulations compliant development. This should be supported by a 'Be Lean' BRUKL document, which should be submitted for review.

54 The applicant should consider and minimise the estimated energy costs to occupants and outline how they are committed to protecting the consumer from high prices. This should cover the parameters set out in the guidance and include a confirmation of the quality assurance mechanisms that will be considered as part of the strategy.

Cooling and overheating

55 The applicant should undertake a Dynamic Overheating Analysis to assess the overheating risk. This should follow the CIBSE TM59 methodology for the London Design Summer Year 1 (DSY1) weather file: 2020s, High emission, 50% percentile scenario. The applicant should also investigate the risk of overheating using the DSY 2 & 3 weather files. The area weighted average (MJ/m²) and total (MJ/year) cooling demand for the actual and notional building has been provided however, the actual building's cooling demand is greater than the notional. Further passive overheating mitigation measures should be adopted.

Be Clean

56 The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant should contact relevant stakeholders including the borough energy officer and any nearby developers and ask whether they know of any local heat network connection opportunities, and the responses should be provided once received. The applicant should provide a commitment that the development is designed to allow future connection to a district heating network. Drawings demonstrating how the site is to be future-proofed for a connection to a district heating network should be provided. This should include a single point of connection to the district heating network.

57 The applicant is proposing a communal heat network supplied by a centralised energy centre. It should be confirmed that all apartments and non-domestic building uses will be connected to the heat network. A drawing showing the route of the heat network linking all uses on the site should be provided alongside a drawing indicating the floor area, internal layout and location of the energy centre.

Be Green

58 The applicant has provided a detailed roof layout demonstrating that the roof's potential for a PV installation has been maximised. Heat pumps are proposed in the form of a (centralised) ASHP system. Further information on the heat pumps should be provided including details of the seasonal Coefficient of Performance (SCOP) and/or Seasonal Energy Efficiency ratio (SEER) and how these have been calculated. This should incorporate the expected heat source and heat distribution temperatures (for space heat and hot water) and the distribution loss factor, which should be calculated based on the above information and used for calculation purposes.

Whole life-cycle assessment

59 The applicant should submit a Whole life-cycle (WLC) assessment which will be reviewed separately; comments will be provided. The WLC assessment should be presented separately in excel using the GLA's WLC assessment template and should follow the GLA WLC guidance. The template and guidance are available here: <https://consult.london.gov.uk/whole-life-cycle-carbon-assessments>. A requirement to submit a post-construction assessment on the development's actual WLC emissions, must be secured.

'Be Seen' energy monitoring

60 The applicant should review the 'Be Seen' energy monitoring guidance to ensure that it is fully aware of the relevant requirements to comply with the 'Be Seen' policy. The guidance is available here: <https://consult.london.gov.uk/be-seen-energy-monitoring>. A commitment should be provided that the development will be designed to enable post construction monitoring and that the information set out in the 'Be Seen' guidance is submitted to the GLA's portal at the appropriate reporting stages. This must be secured through suitable legal wording. The first submission of the data should be provided to the GLA through the 'Be Seen' planning stage webform (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>) at the planning submission stage, alongside the energy statement, or within four weeks of planning approval.

Other energy matters

61 The applicant should confirm the carbon shortfall in tonnes CO₂ and the associated carbon offset payment that will be made to the borough. This should be calculated based on a net-zero carbon target for domestic and non-domestic proposals using the GLA's recommended carbon offset price (£95/tonne) or, where a local price has been set, the borough's carbon offset price.

62 The applicant should provide the relevant modellings output sheets (i.e. TER, DER, BRUKL) for the 'Be Lean' and 'Be Green' stages of the energy hierarchy. The applicant should complete and submit the Good Homes Alliance Early Stage Overheating Risk Tool, which is available here: <https://goodhomes.org.uk/wp-content/uploads/2019/07/GHA-Overheating-in-New-Homes-Tool-and-Guidance-Tool-only.pdf>

63 Detailed comments in relation to the required additional information have been provided separately to the applicant and the Council.

Flooding, drainage and water efficiency

Flood risk management

64 The site is in Flood Zone 2. The flood risk assessment (FRA) provided does not comply with the London Plan Policy SI12, as it does not give appropriate regard to the need for resilience and emergency planning measures due to risk of reservoir flooding. The applicant should provide information to demonstrate that a safe-haven can be provided at upper floors in the event of reservoir flood.

Drainage

65 The surface water drainage strategy generally complies with the London Plan Policy SI13, however, the proposed Sustainable Drainage Systems (SuDS) features need to be shown on the proposed drainage strategy plan and additional above ground green SuDS should be included where possible. In addition, the time area diagram in the hydraulic calculations needs to be amended to more accurately demonstrate the site characteristics.

Water efficiency

66 The proposed development does not meet the requirements of the London Plan Policy SI5 as it does not provide sufficient information around the water consumption target for the non-residential uses on site.

67 Details of the above issues have been sent to the applicant and the Council.

Biodiversity

68 London Plan Policy G6 states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. Policy G6 further states that development proposals should aim to secure net biodiversity gain. The applicant should therefore provide evidence that the proposed development secures a net biodiversity gain in accordance with Policy G6D of the London Plan.

Green infrastructure and urban greening

69 The applicant has calculated the Urban Greening Factor (UGF) of the proposed development as 0.28, which is below the target set by Policy G5 of the London Plan. The scheme includes some positive approaches to urban greening, in particular the use of green roofs, including below the proposed PVs. However, given that the scheme remains below the target UGF the applicant should review the urban

greening proposed, seeking to improve the quality or quantity. Initially the applicant should check that all the current features have been captured in the calculation. It should be noted that the proposed climbers do not appear to have been included in the UGF calculation. These could be included under the category of a green wall, assuming that there is intent to cover the proposed pergola. It should also be noted that the canopy of any proposed trees may be included separately to any planting at the base of the tree.

70 Following the initial review, the applicant should seek to identify improvements. Features for consideration may include, but not be limited to: including a green wall or sections of green wall across the building facade, introduce additional planting at the ground level and introduce rain gardens as part of the water management strategy. The result of this review should be submitted prior to Stage 2 referral. Should it be found that the scheme remains short of the 0.4 target, robust justification should be provided, setting out the improvements considered and the rationale behind their exclusion. Guidance regarding the UGF can be found here:

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/urban-greening-factor-ugf-guidance-pre-consultation-draft>

Trees

71 All existing on-site trees are proposed for removal. It is not clear how many trees are proposed to be planted as part of the scheme (no trees are shown on the UGF calculation). The application should provide an assessment of the value of the trees to be lost using the appropriate valuation system and set out how this has been accounted for through replacement tree planting. For biosecurity reasons, the applicant should consider including a more diverse range of proposed tree species, with large-canopied trees are preferred.

Circular economy

72 London Plan Policy GG5 recognises and promotes the benefits of a transition to a low w carbon circular economy to strengthen London's economic success.

73 The applicant must submit a Circular Economy Statement in line with London Plan Policy SI7, which demonstrates how the proposal promotes circular economy outcomes and aim to be net zero-waste. All proposed measures should be identified and secured through appropriate conditions.

Air quality

74 The air quality assessment accords with London Plan Policy SI1B. Mitigation measures must be proposed by the applicant prior to recommendation for approval. The following standard conditions are recommended:

- Compliance with the Non-Road Mobile Machinery (NRMM) Low Emission Zone for London (London Plan Policy SI1D).
- Measures to control emissions during construction and demolition relevant to a medium risk site should be written into an Air Quality and Dust Management Plan, or form part of a Construction Environmental Management Plan, in line

with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG (London Plan Policy SI1D).

Transport

Healthy Streets

75 An Active Travel Zone (ATZ) assessment has been carried out. The applicant should work with the Council in securing improvements to alleviate the highlighted public realm issues in accordance with Policy T2 of the London Plan.

Trip generation

76 The forecasted trip rates would not represent any significant impact on the local transport network.

Cycle parking

77 Ninety-nine long-stay and two short-stay cycle parking spaces are proposed to support the proposed residential units. Two long-stay and ten short-stay spaces are proposed to support the commercial element of the proposal. These provisions satisfy the minimum quantum requirements of Policy T5 of the London Plan. However, the arrangements do not comply with the London Cycling Design Standards (LCDS).

78 All cycle parking spaces should be demonstrated to accord with LCDS prior to any permission being granted in order to comply in full with Policy T5 of the London Plan.

Car parking

79 The development is to be car-free which is welcomed. A permit-free agreement should be secured by a Section 106 agreement. Three off-street disabled persons parking spaces are proposed to support the residential units across this site and the adjacent Perigon Heights development, equating to a 2.9% provision from the outset. It is noted that there is not sufficient space for a further seven percent in passive provision. However, given the site's access to step-free transport links and town centre location, TfL considers this is acceptable. One disabled person's parking space is proposed to support the commercial element of the proposal, in line with London Plan Policy T6(5) which is also acceptable. Given the small number of parking spaces it is recommended that all have active Electric Vehicle Charging Points (EVCPs).

Managing freight

80 A draft construction logistics plan (CLP) and draft delivery and servicing plan (DSP) have been provided. A full CLP and DSP should be secured by condition in line with Policy T7 of the London Plan.

Travel plan

81 A travel plan statement has been provided in line with TfL's travel plan guidance 2013. This should be secured by condition in line with Policy T4 of the London Plan.

Mayoral Community Infrastructure Levy

82 This development will be liable for the Mayor of London's CIL based on the charging rate of £60 per square metre for sites in Bromley.

Summary

83 The proposed residential cycle parking does not comply with the London Cycling Design Standards (LCDS) and thus Policy T5 of the London Plan. The applicant is required to address this concern prior to any Stage 2 referral.

Local planning authority's position

84 Bromley Council officers are currently assessing the application, a committee date has not been determined.

Legal considerations

85 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments. Article 6 or 7 directions are considered against the requirements of the 2008 Order and are not made at the request of the applicant or any other party.

Financial considerations

86 There are no financial considerations at this stage.

Conclusion

87 London Plan policies on housing, urban design and heritage, climate change, and transport are relevant to this application. The application is broadly supported in strategic planning terms, but the following matters should be addressed to ensure full compliance with the London Plan:

- **Land use principles:** The residential-led mixed use development of the underutilised town centre brownfield site is supported in strategic planning terms.
- **Housing/affordable housing:** The proposal offers 10% affordable housing in units and habitable rooms; therefore, the scheme follows the Viability Tested Route. GLA officers will continue to rigorously scrutinise the applicant's viability report. The applicant should confirm whether any of the existing residential units constitute affordable housing. The applicant should confirm whether any of the existing residential units constitute affordable housing.

- **Urban design and heritage:** The proposal does not comply with London Plan Policy D9A as the site has not been specifically identified suitable for a tall building of this scale. The applicant should present material that allows officers to reach a fully informed view of compliance with London Plan Policy D9C. No harm would be caused to heritage assets.
- **Climate change:** Further information is sought in relation to energy, drainage, circular economy, urban greening and air quality.
- **Transport:** The proposed residential cycle parking does not comply with the London Cycling Design Standards and thus London Plan Policy T5. The applicant is required to address this concern prior to any Stage 2 referral.

For further information, contact GLA Planning Team:

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